

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 481 be amended to read as follows:

- 1 Page 22, between lines 16 and 17, begin a new paragraph and
- 2 insert:
- 3 SECTION 1. IC 20-10.1-2-1 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: "Sec. 1. (a) A school
- 5 year is the period of time beginning after June 30 of each year and
- 6 ending before July 1 of the following year, except when a different
- 7 period is specified for a particular purpose.
- 8 (b) A student instructional day in grades 1 through 6 consists of a
- 9 minimum of five (5) hours of instructional time. A student instructional
- 10 day in grades 7 through 12 consists of a minimum of six (6) hours of
- 11 instructional time. For purposes of this section, instructional time is
- 12 time in which students are participating in an approved course,
- 13 curriculum, or educationally related activity under the direction of a
- 14 teacher, including a reasonable amount of passing time between
- 15 classes. However, instructional time does not include lunch or recess.
- 16 (c) ~~For the 1987-88 school year, each school corporation shall~~
- 17 ~~conduct at least one hundred seventy-five (175) student instructional~~
- 18 ~~days. For the 1988-89 school year and Each school year, after that, each~~
- 19 ~~school corporation shall do the following:~~
- 20 (1) conduct at least one hundred eighty (180) student
- 21 instructional days; or
- 22 (2) **for a school corporation that is eligible for a waiver under**
- 23 **section 1.5 of this chapter, conduct the equivalent in hours of**
- 24 **one hundred eighty (180) student instructional days as**
- 25 **determined under section 1.5 of this chapter.**
- 26 No later than June 15 of each school year, the superintendent of each
- 27 school corporation shall certify to the department the number of student

1 instructional days conducted during that school year.

2 (d) If a school corporation fails to conduct the minimum number
3 of student instructional days during a school year as required under
4 subsection (c), the department shall reduce the August tuition support
5 distribution to that school corporation by an amount determined as
6 follows:

7 (1) For the 1987-88 school year, the amount determined under
8 STEP THREE of the following formula:

9 STEP ONE: Divide the amount of the total tuition support
10 allocated to the school corporation for the 1987-88 school
11 year by one hundred seventy-five (175).

12 STEP TWO: Subtract the number of student instructional
13 days that the school corporation conducted from one
14 hundred seventy-five (175).

15 STEP THREE: Multiply the amount determined under
16 STEP ONE by the amount determined under STEP TWO.

17 (2) For the 1988-89 school year and each school year after that,
18 the amount determined under STEP NINE of the following
19 formula:

20 STEP ONE: Determine the remainder of:

21 (A) the amount of the total tuition support allocated to
22 the school corporation for the particular school year;
23 minus

24 (B) that part of the total tuition support allocated to the
25 school corporation for that school year with respect to
26 student instructional days one hundred seventy-six
27 (176) through one hundred eighty (180).

28 STEP TWO: Subtract the number of student instructional
29 days that the school corporation conducted from one
30 hundred eighty (180).

31 STEP THREE: Determine the lesser of five (5) or the
32 remainder determined under STEP TWO.

33 STEP FOUR: Divide the amount subtracted under STEP
34 ONE(B) by five (5).

35 STEP FIVE: Multiply the quotient determined under STEP
36 FOUR by the number determined under STEP THREE.

37 STEP SIX: Subtract the number determined under STEP
38 THREE from the remainder determined under STEP TWO.

39 STEP SEVEN: Divide the remainder determined under
40 STEP ONE by one hundred seventy-five (175).

41 STEP EIGHT: Multiply the quotient determined under
42 STEP SEVEN by the remainder determined under STEP
43 SIX.

44 STEP NINE: Add the product determined under STEP
45 FIVE to the product determined under STEP EIGHT.

46 (e) The department may grant a waiver of the penalty imposed
47 under subsection (d) for a particular number of cancelled student
48 instructional days if:

49 (1) the school corporation applies to the department for a waiver
50 of the penalty imposed under subsection (d) for a specific
51 number of cancelled student instructional days; and

(2) each of the particular number of student instructional days requested to be waived under this subsection was cancelled due to extraordinary circumstances.

(f) The department shall develop guidelines for school corporations to apply for a waiver under subsection (e).

SECTION 2. IC 20-10.1-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. (a) As used in this section, "canceled day" refers to a student instructional day actually canceled during a school year by the superintendent of a school corporation due to:**

(1) inclement weather; or

(2) extraordinary circumstances; affecting the operation of a school within the school corporation or the school corporation in general, as determined by the superintendent of the school corporation.

(b) This section maintains the equivalent in hours of the one hundred eighty (180) student instructional days required by section 1(c) of this chapter.

(c) For a grade 1 through grade 6 school within a school corporation, the department shall grant a waiver of the penalty imposed under section 1(d) of this chapter for the number of canceled days equivalent to the remainder determined under STEP FOUR of the following formula:

STEP ONE: Determine the actual number of student instructional minutes that the school will provide in the school year.

STEP TWO: Determine the number of equivalent instructional hours by dividing the number of minutes determined under STEP ONE by sixty (60).

STEP THREE: Determine the number of equivalent five (5) hour instructional days by dividing the quotient determined under STEP TWO by five (5).

STEP FOUR: Determine the excess equivalent instructional days by subtracting one hundred eighty (180) from the quotient determined under STEP THREE.

(d) For a grade 7 through grade 12 school within a school corporation, the department shall grant a waiver of the penalty imposed under section 1(d) of this chapter for a number of canceled days equivalent to the remainder determined under STEP FOUR of the following formula:

STEP ONE: Determine the actual number of student instructional minutes that the school will provide in the school year.

STEP TWO: Determine the number of equivalent instructional hours by dividing the number of minutes determined under STEP ONE by sixty (60).

STEP THREE: Determine the number of equivalent six (6) hour instructional days by dividing the quotient determined under STEP TWO by six (6).

STEP FOUR: Determine the excess equivalent instructional days by subtracting one hundred eighty (180) from the quotient determined under STEP THREE.

(e) For a school corporation in general, the department shall grant a waiver of the penalty imposed under section 1(d) of this chapter for a number of canceled days equivalent to the quotient determined under STEP TEN of the following formula:

STEP ONE: Determine the number of student instructional minutes that the school corporation will provide in the school year for an average student in grades 1 through 6.

STEP TWO: Determine the number of equivalent instructional hours in grades 1 through 6 by dividing the number of minutes determined under STEP ONE by sixty (60).

STEP THREE: Determine the number of equivalent five (5) hour instructional days in grades 1 through 6 by dividing the quotient determined under STEP TWO by five (5).

STEP FOUR: Determine the excess equivalent instructional days in grades 1 through 6 by subtracting one hundred eighty (180) from the quotient determined under STEP THREE.

STEP FIVE: Determine the number of student instructional minutes that the school corporation will provide in the school year for an average student in grades 7 through 12.

STEP SIX: Determine the number of equivalent instructional hours in grades 7 through 12 by dividing the number of minutes determined under STEP FIVE by sixty (60).

STEP SEVEN: Determine the number of equivalent six (6) hour instructional days in grades 7 through 12 by dividing the quotient determined under STEP SIX by six (6).

STEP EIGHT: Determine the excess equivalent instructional days in grades 7 through 12 by subtracting one hundred eighty (180) from the quotient determined under STEP SEVEN.

STEP NINE: Add the remainder determined under STEP FOUR for grades 1 through 6 to the remainder determined under STEP EIGHT for grades 7 through 12.

STEP TEN: Divide the sum determined under STEP NINE by two (2).

(f) A waiver for canceled days that is provided under this section is in addition to any waivers that may be granted under section 1(e) of this chapter for canceled days."

(Reference is to ESB 481 as printed April 6, 1999.)

Representative DENBO